

Chapter. 607. An Act Relating to Storm Water Management

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 38 MRSA §420-D, sub-§7, ¶B, as enacted by PL 1995, c. 704, Pt. B, §2 and affected by Pt. C, §2 and PL 1997, c. 603, §8, is amended to read:

B. Disturbing areas for the purpose of normal farming activities, such as clearing of vegetation, plowing, seeding, cultivating, minor drainage and harvesting, does not require review pursuant to this section. A manure storage facility that is designed, constructed, managed and maintained in accordance with the United States Department of Agriculture, Natural Resources Conservation Service guidelines does not require review pursuant to this section. For purposes of this paragraph, "manure storage facility" means a facility used primarily for containing manure.

Sec. 2. Storm water management rules. Notwithstanding the Maine Revised Statutes, Title 38, section 420-D, the Board of Environmental Protection shall provisionally adopt rules in accordance with Title 5, chapter 375 to regulate storm water management. Rules adopted pursuant to this section are major substantive rules as defined in Title 5, chapter 375, subchapter 2-A and must be provisionally adopted and submitted to the Legislature no later than January 2, 2005.

Sec. 3. Legislation. The Department of Environmental Protection shall submit a bill to the First Regular Session of the 122nd Legislature no later than January 2, 2005 to amend provisions in the Maine Revised Statutes, Title 38, section 420-D to resolve inconsistencies between the rules adopted pursuant to section 2 of this bill and that section.